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In re Application of ERLICH et al :
U.S. Application No.: 10/542,158 :
PCT Application No.: PCT/US04/37148 :
Int. Filing Date: 04 November 2004 : COMMUNICATION
Priority Date Claimed: United States :
Attorney Docket No.: 207,049 :
For: DIRECTIONAL CONTROL FOR DUAL :
BRUSH ROBOTIC POOL CLEANERS :
:

This application is before the Office of PCT Legal Administration for consideration of issues arising under 35 U.S.C. 371.

BACKGROUND

On 04 November 2004, applicant filed international application PCT/US04/37148, which claimed priority of an earlier United States application filed United States. The thirty-month period for paying the basic national fee in the United States expired on 04 May 2006.

On 11 July 2005, applicant filed national stage papers in the United States Designated/Elected Office (DO/EO/US). The submission was accompanied by, *inter alia*, the basic national fee required by 35 U.S.C. 371(c)(1) and was assigned U.S. Application Number 10/542,158. The transmittal letter (Form PTO-1390) listed the attorney's docket number as "207,049".

On 14 April 2006, applicant filed another set of national stage papers in the DO/EO/US. The submission was assigned U.S. Application Number 10/575,971. The transmittal letter (Form PTO-1390) listed the attorney's docket number as "207,545".

DISCUSSION

The end result for an international application designating the United States is a single U.S. national stage application. Therefore, the existence of two U.S. national stage applications for a single international application would be improper.

CONCLUSION

For the reasons above, the serialization of U.S. Application Number 10/575,971 is hereby VACATED.

This application is being forwarded to the United States Designated/Elected Office (DO/EO/US) for further processing in accordance with this decision.

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